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*Representing the United States of America*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GARLEN SHAVERDIAN,

Defendant.

Case No.: 2:18-mj-00500-PAL

**STIPULATION TO CONTINUE  
BENCH TRIAL**  
(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United States Attorney, Allison Reese, Assistant United States Attorney, counsel for the United States of America, and Chris Rasmussen, Esq., counsel for Garlen Shaverdian, that the bench trial date in the above-captioned matter, currently scheduled for September 12, 2018, at 8:45 a.m., be vacated and continued for a period of thirty (30) days to a date and time to be set by this Honorable Court.

This Stipulation is entered into for the following reasons:

1. The parties have reached a negotiated resolution of this case and will be submitting a signed plea agreement to the Court shortly. The additional time is required to allow

1 scheduling of a change of plea and to allow the Defendant, who resides out of state, time to  
2 arrange travel to Nevada.

3 2. The Defendant is out of custody and does not object to a continuance.

4 3. The parties agree to the continuance.

5 4. The additional time requested herein is not sought for purposes of delay.

6 5. Additionally, denial of this request for continuance could result in a miscarriage  
7 of justice.

8 6. The additional time requested by this stipulation is allowed, with the Defendant's  
9 consent, under the Federal Rules of Criminal Procedure 5.1(d).

10 7. This is the first request to continue the bench trial.

11 DATED this 5<sup>th</sup> day of September, 2018.

12 DAYLE ELLIESON  
13 United States Attorney

14 By: /s/ Allison Reese  
15 ALLISON REESE  
16 Assistant United States Attorney

By: /s/ Chris Rasmussen  
CHRIS RASMUSSEN, ESQ.  
Attorney for Garlen Shaverdian

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 -oOo-

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 vs.

7 GARLEN SHAVERDIAN,

8 Defendant.

Case No.: 2:18-mj-00500-PAL

**ORDER**

9  
10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
12 Court hereby finds that:

13 1. The parties have reached a negotiated resolution of this case and will be  
14 submitting a signed plea agreement to the Court shortly. The additional time is required to allow  
15 scheduling of a change of plea and to allow the Defendant, who resides out of state, time to  
16 arrange travel to Nevada.

17 2. The parties agree to the continuance.

18 3. Defendant is incarcerated and does not object to the continuance through his  
19 attorney.

20 4. Additionally, denial of this request for continuance could result in a miscarriage  
21 of justice.

22 5. The additional time requested herein is not sought for purposes of delay, and good  
23 cause is shown by the parties to continue the preliminary hearing.

6. The additional time requested by this stipulation is allowed, with the Defendant's consent, under the Federal Rules of Procedure 5.1(d).

7. This is the first request to continue the bench trial.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the bench trial date.

## **CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the Defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein to potentially resolve the case prior to trial, and further would deny the parties sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the bench trial, taking into account the exercise of due diligence.

The continuance sought herein is allowed, with the Defendant's consent pursuant to Federal Rules of Procedure 5.1(d).

## ORDER

IT IS THEREFORE ORDERED that the bench trial currently scheduled for September 12, 2018 at the hour of 8:45 a.m. be vacated and continued to October 17, 2018, 2018, at the hour of 8:45 am.

DATED this 11th day of September, 2018.

*Peggy A. Leen*  
THE HONORABLE PEGGY LEEN  
UNITED STATES MAGISTRATE JUDGE